

MAY 22 2006

**Yee &
Associates, P.C.**4100 Alpha Road
Suite 1100
Dallas, Texas 75244Main No. (972) 385-8777
Facsimile (972) 385-7766**Facsimile Cover Sheet**

To: Commissioner for Patents for Examiner Clement B. Graham Group Art Unit 3628	Facsimile No.: 571/273-8300
From: Michele Morrow Legal Assistant to Gerald H. Glanzman	No. of Pages Including Cover Sheet: 35
Message: Enclosed herewith: <ul style="list-style-type: none">• Transmittal of Appeal Brief; and• Appeal Brief.	
Re: Application No. 09/721,093 Attorney Docket No: YOR9-2000-0126-US1	
Date: Monday, May 22, 2006	
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MAY 22 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gupta et al.

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Group Art Unit: 3628

Serial No.: 09/721,093

228

Examiner: Graham, Clement B.

Filed: November 22, 2000

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Attorney Docket No.: YOR9-2000-0126-US1

For: Handling Order (Proxy) Bids in an On-Line Auction

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Certificate of Transmisstion Under 37 C.F.R. § 1.8(a)

I hereby certify this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number (571) 273-8300, on May 22, 2006.

By.

Michele Morrow

35526

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

TRANSMITTAL OF APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:
ENCLOSED HEREWITH:

- **Appeal Brief (37 C.F.R. 41.37)**

No fees are believed to be necessary. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 50-0510. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 50-0510.

Respectfully submitted,

Gerald H. Glanzman
Registration No. 25,035

Duke W. Yce
Registration No. 34,285
YEE & ASSOCIATES, P.C.
P.O. Box 802333
Dallas, Texas 75380
(972) 385-8777
ATTORNEYS FOR APPLICANTS

MAY 22 2006

Docket No. YOR9-2000-0126-US1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gupta et al.

Serial No. 09/721,093

Filed: November 22, 2000

For: Handling Order (Proxy) Bids in
an On-Line Auction

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Group Art Unit: 3628

Examiner: Graham, Clement B.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

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Alexandria, VA 22313-1450, facsimile number (571) 273-8300
on May 22, 2006.

By:

Michele Morrow
Michele Morrow

APPEAL BRIEF (37 C.F.R. 41.37)

Appellants respectfully request reinstatement of the Notice of Appeal, filed in this case on
March 20, 2006.

No fees are believed to be necessary. If, however, any fees are required, I authorize the
Commissioner to charge these fees which may be required to IBM Corporation Deposit Account
No. 50-0510. No extension of time is believed to be necessary. If, however, an extension of time
is required, the extension is requested, and I authorize the Commissioner to charge any fees for
this extension to IBM Corporation Deposit Account No. 50-0510.

(Appeal Brief Page 1 of 33)
Gupta et al. - 09/721,093

REAL PARTY IN INTEREST

The real party in interest in this appeal is the following party: International Business Machines Corporation.

RELATED APPEALS AND INTERFERENCES

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

STATUS OF CLAIMS

A. TOTAL NUMBER OF CLAIMS IN APPLICATION

Claims in the application are: 1, 4-18 and 21-31

B. STATUS OF ALL THE CLAIMS IN APPLICATION

1. Claims canceled: 2, 3, 19 and 20
2. Claims withdrawn from consideration but not canceled: NONE
3. Claims pending: 1, 4-18 and 21-31
4. Claims allowed: NONE
5. Claims rejected: 1, 4-18 and 21-31
6. Claims objected to: NONE

C. CLAIMS ON APPEAL

The claims on appeal are: 1, 4-18 and 21-31

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